

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

FERNANDO LOPEZ-ARMENTA,

Defendant.

CASE NO. CR21-0132-JCC

ORDER

This matter comes before the Court on Defendant's unopposed motion to continue trial and pretrial motions deadlines (Dkt. No. 20). Having thoroughly considered the motion and the relevant record, the Court hereby GRANTS the motion.

Trial in this matter is currently set for February 7, 2022. (Dkt. No. 17.) Defendant seeks a continuance to allow defense counsel additional time to continue the pre-trial investigation, review discovery, conduct legal research, and spend additional time with Defendant at the FDC with the assistance of an interpreter. (Dkt. No. 20 at 2.) Additionally, there are portions of discovery that still need to be translated from Spanish into English. (*Id.*)

Based on the foregoing, the Court FINDS that the ends of justice served by granting the requested continuance outweigh the best interests of Defendant and the public in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). This finding is based on the following:

1. A failure to grant a continuance in this case would likely result in a miscarriage of

1 justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i);

2 2. Taking into account the exercise of due diligence, a failure to grant a continuance
3 in this case would deny Defendant's counsel the reasonable time necessary for effective
4 preparation due to counsel's need for more time to review the evidence, consider possible
5 defenses, and gather evidence material to the defense, as set forth in § 3161(h)(7)(B)(iv); and

6 3. The additional time requested is a reasonable period of delay.

7 It is therefore ORDERED as follows:

8 1. The motion for a continuance (Dkt. No. 20) is GRANTED.

9 2. The current trial date is CONTINUED to April 25, 2022; pretrial motions will be
10 due March 7, 2022. The parties should consult the Court's Chambers Procedures posted on its
11 website for detailed instructions regarding pretrial submissions and trial procedure.

12 3. The time from the date of this order until the April 25, 2022 trial date is an
13 excludable period under 18 U.S.C. § 3161(h)(7)(A).

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15 DATED this 18th day of January 2022.

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19 John C. Coughenour
20 UNITED STATES DISTRICT JUDGE
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